# ELIOT AND GOMPERS CLASH.

DON'T AGREE ON THE WISDOM OF RESTRICTING IMMIGRATION.

Both Make Short Talks at the Civic Federation's Conference-Andrew Carnegir Pleads for an Open Door for the skilled Workers of Europe.

The liveliest part of the conference on immigration called by the Civic Federation came just before the close of the afternoon session in Madison Square Carden concert hall yesterday, when President Fliot of Harvard and President Compers of the Americas Federation of Labor clashed on the question of restricting immigration in order to protect American workingmen.

The formal discussion had ended and the chairman had called for speeches under the five minute rule, when Gompers announced his views as follows:

"This question is vital to men who have to live by their labor. If the manufacturers are to be protected, so should the American workingmen. I have no objection to Chinamen as men, but I am altogether opposed to Chinamen coming here as workers, because their civilization is different from the civilization of our countrymen. The Chinaman is essentially a cheap

Just then a delegate from I tah inter-

rupted "I understand that this question of the Chinese is not to be discussed now-that Asiatic immigration is the subject for

There was a chorus of approval and the chairman suppressed Mr. Gompers's discussion of Chinese immigration.

"I am glad," Gompers resumed, "that I have been interrupted and that I have been told not to talk on this subject. I want to say that it is inconsistent to impose duty on the products of Europe and then open our ports so that the men themselves from Europe can do the work here

"The word protection," said President Eliot, "is a very much overworked one. Self-protection is avery good idea if it comes from the force of nature. But the moment that you think it a sound motive in dealing with men who come to this country and are willing to work you are treading on dangerous ground. This idea that we have to be protected from the people of other countries is not a noble talk and does not commend itself to the American people.

"We need the best blood and brains of the world. Every part of the United States needs more labor every day. As far as I can see, the present arrangements of the immigration law for the exclusion of criminals are satisfactory, but when we reject sound labor that is brought here it is a different question. It is not a generous talk that American workingmen want others kept out because their wages might be lowered. You may be sure that in the long run this ungenerous motive will not prevail.

Here the delegate from Utah protested against any restriction being placed on honest workingmen coming here

"I came here as an immigrant," he said. "and I had only \$13.80 with me. After being twenty-five years in this country I am happy to say that I have still the \$13.80 and a great deal more in the bank. I am in favor of receiving the immigrant with open arms when he is strong and healthy. We need them all."

Jesse Taylor, who hails from Jamestown, Ohio, defended Gompers.

"I heartily indorse everything said by Mr. Gompers," he said. "I am from the big State of Ohio and I am not a capitalist. State of Ohio and I am not a capitalist. The State of Ohio does not want any more of these wormy diseased people from to south of Europe. We don't want the rifferaff of other nations. A few millionaires and owners of factories may want them, but if you have the riffraff of southern Europe in competition with the free men of this country the labor unions will go somewhere else and say down with your ideas of protection."

The morning session was opened at 10 o'clock by August Belmont, president of the Civic Federation, who introduced John H. Holliday of Indiana as chairman. The first speaker was Robert Watchorn, Commissioner of Immigration, who went into statistics to show that the laws prohibiting undesirable people were fairly well enforced and suggested some minor changes.

Prescott H. Hall of the Immigration Restriction League spoke in favor of restriction of immigration, and Prof. Morris Loeb of the University of New York declared that the spirit of Mr. Hall was a spirit of the grandfathers of the present generation—the Know Nothings—who attempted to keep out of this country in the 50s the people who saved for the North the State of Missouri.

Andrew Carnegie, who was received with great applause, said.

Andrew Carnegie, who was received with great applause, said:

Our country has more than one serious problem, but immigration is not one of them. Our last speaker understood that fully and gave us a magnificent oration on the civil war. We have solved the question in the present somewhat too drastic law that we have enacted. What would this country have been without immigration, and who is there here who is not either an immigrant himself or has immigrant blood in his veins?
It is not a problem for us. It is the problem of the poor, unfortunate countries from which we are draining the best blood Prince Bis-marck deelared that the United States was draining the most valuable blood of Ger-many, and he would pass laws preventing the Germans from leaving their country to swell the growth and the prosperity and happiness of the American republic, and he was a wise

Consider what you are getting. Thousands of immigrants have to save the money to pay their expenses to America. You all know what it means for them to do that. Now I hold that the prime test, and the only test we should exact, is this: Has a man the ambition to enjoy the rights of an American citizen? Has he the habits and sobriety and frugality to save the sum necessary for him to reach that port? And is he skilful enough to earn

If I owned America and was running it as a business operation, I would not only look for that man, but I would give every man of that kind a premium to come here, and con-

The greatest mistake labor ever makes, if t ever makes a mistake at all [laughter]. this: That a man comes here to work
 and injures other workingmen by so doing: that they are compartments divided. Gentle men, labor is one undivided whole, and the brosperity of one branch of labor entails the prosperity of other branches. Every laborer is a consumer, and he employs other labor.
A speaker said something about purity of blood. It is not purity of blood you want. It is the minging of different bloods that makes the American.

Other speakers were Archbishop Ireland. Judge Lynn of Harrison, Conn., who thought present laws were good enough but that the best way of keeping out the undesirable was putting the matter in the hands of the American Consuls; Simon Wood of the District of Columbia, Broughton Brandenberg of New York and Lee R. Frankel of New York.

At the evening session the subject was the distribution of the immigrants. Gov. Jelks of Alabama presided and about fifteen or twenty delegates made five n in ite speeches,

twenty delegates made live it in its species, few of them sticking to the question. Dr. Edward H. Steiner of New York said that the congested districts of the East Side were not a menace to the prosperity

of the working people.

"It is not true that the East Siders do
"It is not true that the East Siders do
"It assimilate" American ideas," he

# Holiday Silverware Favorable Prices

Improved methods, and unequalled facilities, enable the Gorham Company to produce standard articles in silverware with the greatest possible economy, consistent with Gorham quality.

The variety of standard articles and many silver novelties prepared for the Holiday season, while possessing the distinct intrinsic value conferred by the Gorham name, will be found to compare favorably in price with the less notable offerings of unknown makers.

# THE GORHAM COMPANY

SILVERSMITHS AND GOLDSMITHS, FIFTH AVENUE and THIRTY-SIXTH STREET and TWENTY-THREE MAIDEN LANE

of all the unions in this respect. I have been told that there are 30,000 men who are illegally made citizens. That is the fault of Americans.

It was the East Side that had the largest share in electing District Attorney Jerome and defeating Tammany's plans, not the wealthy citizens of Fifth avenue. I could get 20,000 East Siders to go West if they had the weapen but the West wants them to money, but the West wants them to Arle of Kentucky, said that the South,

to the magnificent prosperity which through the country, was ready slcome good immigrants. Then he

switched over to the race question.

Warren S. Stone, president of the Brotherhead of Locomotive Engineers, said he was not in favor of workmen coming here from other countries whose standard of living was lower than this country. Others fol-lowed him and talked on nearly every subject but the one before the meeting.

#### FLAGGED A SKY-SEA COLLISION By Waving His Shirt at It-Anderson's Sanity Impugned in Will Case.

The mental competency of William H. Anderson, a pioneer in the oil business, who died in December, 1903, was the subject of testimony yesterday before Surrogate Fitzgerald. His will cut off three of his children, William and Henry Anderson and Irene Bollinger, with \$1 apiece. o his widow, Henrietta, with whom he had not lived for years, he left what share of his estate she would be entitled to under the laws of California, where he owned real estate. The residuary estate he divided among his niece, Ellen Frances Dodd, and two friends, Mrs. Alexander W. Holm and William Bender, Bender has since died. Another son, Daniel, got a share in the

The widow and the three disinherited children are now contesting the will and allege that Anderson was eccentric and a believer in spiritualism and supernatural influences. He thought he possessed great magnetic force, they say, and also believed he could tell whenever he was near running water, whether above or below ground. Mrs. Anderson testified yesterday that

Mayor Fagan, were present. Mayor Fagan explained the objects of the meeting and said that much can be accomplished for the cause of equal taxation by holding meetings in the different cities and creating public sentiment. He was elected president of the league, and his private secretary,

Joseph O'Connor, was chosen secretary,
Many letters were received, One from
Everett Colby said: "The political leaders
are against you. Last year I tried to get
a bill of this nature through the Legislature,
and I asked the members of the House if could give me one good reason should not vote for the bill. they should not vote for the bill. When they got out in the corridor the only reason they gove was 'the Pennsylvania Railroad would raise hell.'"

Mr. Colby said it was vital to the equal tax cause to elect a Speaker of the House who favored the question.

Nearly everybody at the meeting pledged birstel's to the cause and the avecutive.

himself to the cause, and the executive committee, of which Mayor Kenny is chairman, was authorized to arrange for public meetings throughout the State.

### SYRIAN BISHOP VINDICATED.

Charge That He Shot a Man in a Street Fight Is Dismissed.

Bishop Raphael Hawaweeny of the Greek Church was arraigned before Magistrate Tighe in the Butler street police court, Brooklyn, yesterday. He was accused of having shot one of the Syrians who is op-posed to him in a street fight on September 1 Bishop Hawaweny and other 1 testified that he had never carried a revolv r and denied participating in the row on the night in question. Magistrate Tighe dis-missed the complaint and the Bishop rered the congratulations of a number of

### DIED UNDER NITROUS OXIDE. Dentist Could Not Arouse Patient Whom He Treated for Abscess.

George A. McDonough, a lithographer: 44 years old, of 1017 Fast 187th street, went vesterday to a dentist, Dr. Waldo Mork of 2173 Bathgate avenue, to have an abcsess treated. His family physician informed Dr. Mork that M. Donough could safely take gas during the operation.

When the work was done Dr. Mork could not arouse McDonough, who died half an hour later. Coroner Berry gave a certificate

### Fourteen Thousand Deserted Wives in

Chicago.

of death from heart disease

CHICAGO, Dec. 16.-There are 14,000 deserted wives in Chicago, and the American husband is the chief deserter, declared W. not assimilate American ideas." he said. "Ino the clothing trade, whatever wages they had at first, the Jews of the East Side demand as high wages now as any other workmen. They keep abreast Lester Bodine, Superintendent of Compul-

of all the unions in this respect. I have UNITARIANS TO OTHER SECTS. Chattenge Impiled by Bar of Interchurch Conference Is Welcomed.

BOSTON, Mass., Dec. 7 .- A circular letter prepared by Edward Everett Hale, John D. Long and Samuel A. Eliot, elected by the Unitarian National Conference to represent that body at the Interchurch Conference on Federation, recently held in New York, and from attending which they were barred by action of that body on the ground that Unitarians are not Christians, has been sent to the pastors of all the Unitarian churches in Boston and the vicinity, and will be read by them from the pulpits next Sunday morning. Referring to the action of the conference

"Our characters were not impeached, but our beliefs were condemned as heretical. In spite of the protest of a number of the most distinguished Christian scholars and leaders of other denominations than our own this exclusion has now been confirmed

y the action of the conference itself. We make no controversy over this action which puts, not us but its promoters, at the bar of an enlightened public opinion. In view of it, however, it seems timely for us to affirm anew the simple truth proclaimed of old by Christ himself, that righteousness of life and spiritual efficiency rather than orthodoxy of belief is the test of Christian discipleship. We affirm that the doing of

orthodoxy of belief is the test of Christian discipleship. We affirm that the doing of the will of the Master is the vital thing, and that beliefs about the nature of Christian that the doing of the will of the Master is the vital thing, and that beliefs about the nature of Christian the call obedience of His precepts.

"The Unitarian churches of America and all who desire to promote pure Christianity in our land should be glad to be confronted by a stimulating challenge. Whatsoever good things these other denominations propose to accomplish, and we deeply appreciate the good they do, it is manifest that, as represented by this action, they are both unwilling and unable to commit themselves to the great Christian principles of freedom and brotherhood.

"When the good time comes that our brethren in other Christian denominations

"When the good time comes that our brethren in other Christian denominations know us better they will find us ready most cordially to cooperate with them and with all other religious bodies in establishing the Kingdom of God on the earth."

# FROM LUDLOW TO SING SING.

Contempt Prisoner in a Way to Avoid

Imprisonment for Life.

Peter Forrester, who has spent thirteen months in Ludlow Street Jail and faced imprisonment there for life for contempt of the Surrogates Court, pleaded guilty be
was drawn on a London in the the day of the had no account. She had formerly had money on deposit there, she said, and knew the vice-president.

Mr. Bom, the proprietor of the hotel, cashed the check, and felt so bad, she said, when he found it was no good that she sent him back \$500 when she got to Italy.

She then told in a rankling way of a the Surrogates Court, pleaded guilty before Judge Cowing in General Sessions yesterday to three indictments for grand larceny. He was charged with getting away with \$36,000 of the estate of his motherin-law, Lucinda Dougherty, of which he was executor.

His counsel, William Hawkins, said he pleaded guilty because his witnesses were out of the State and because on account of lapse of time he was unable to produce the evidence that he had not stolen the money. evidence that he had not stolen the money.
"He has been in Luddow Street Jail for
thirteen months by order of Surrogate
Thomas," said Lawyer Hawkins. "This
tibraltar of Finance was crumbled in the
poisonous atmosphere of Wall Street. Here

ire the ashes. are the ashes."

The lawyer slapped on the desk \$70,000 in bonds of the defunct Carson River Dredging and Mining Company. He said that Forrester had lost all his money and his

Forrester had lost all his money and his family's money in this concern.
Forrester, who is 62 years old, was a Mason, a member of the Stock Exchange and an agent for the Vanderbilts a decade ago. In court he showed a cancelled check for \$1,500,000 which he paid to Commodore Vanderbilt as evidence of how big he was

### once. He will be sentenced next Tuesday. VERDICT AGAINST TAYLOR & CO. Ridgely Gets an Award of \$23,000 From

the Brokerage Firm.

A. N. Ridgely, a financial writer and editor, obtained a verdict for \$23,000 against Talbot J. Taylor & Co., brokers, in the Supreme Court in Brooklyn yesterday. In 1902 the defendants organized a pool to purchase 200,000 of the 400,000 shares of Southern Pacific stock. Mr. Ridgely testified that being a financial writer, he had speculated, and having \$10,000 with the defendants, he ordered them to purchase 1,000 shares at about 60, and ordered them

Later, when the stock began to sag, he was called upon to put up more margin.
He ignored the call and was sold out. He contended that he had been illegally sold out and that he should have been permitted to sell his stock for \$23,000, the amount of his investment and profit. On a fo trial he was awarded \$10,000 damages.

#### TRIED FOR A DEATH PLUNGE. Negro Yate Graduate Under Sentence Tries to End His Life.

St. Louis, Dec. 7 .- Louis C. Graves, the negro Yale graduate, recently convicted of forgery and septenced to two years in the penitentiary, to-day attempted suicide by olunging head first from the balcony in the iail to the stone flagging beneath He was picked up unconscious and examination showed that his skull had bee fractured. His chances for recovery are

### HUMMEL APPEALS

From Order of Court Refusing Him a Change of Venue.

A, H. Hummel, whose trial for conspiracy in connection with the Dodge-Morse divorce and marriage affair has been set for Wednesday next, filed yesterday through his attorney, De Lancey Nicoll, a notice of appeal to the Appellate Division from the ecent order of Supreme Court Justice Truax denying his application for a change

VEILED VOYAGER'S ODD YARNS

RESCUE OF MISS FISHER'S MAID DEMANDED BY CABLE.

Woman Admits She Defrauded Swiss Hotel Keeper With Forged Check-Young Girl Says She Was Kidnapped-Weird

Story of Insurance Plot That Failed. A special board of inquiry considered at Ellis Island yesterday the extraordinary case of Miss Mary Caroline Fisher, alias Mrs. Fairholm, who was the most exclusive cabin passenger on the North German Lloyd steamship Neckar, which arrived on Tuesday from Italy, and of her maid, Annie Pennington.

The Swiss Consul in this city had been notified by his Government that Miss Fisher was coming and had been told that she was wanted for passing a bad check for 19,000 francs on a hotel keeper in Luzerne. Swiss detectives had traced the woman to the Neckar, and the immigration authorities took her to Ellis Island for examination before she set foot on American soil.

On the ship the woman's behavior attracted attention. The young English girl, her maid, of whom she seemed very fond, was constantly with her, and she never appeared on deck without a heavy veil, which prevented any one from getting a good look at her face. The maid was sent to Ellis Island with her and that same day there came from England a cable despatch about the maid. It was from the Travellers' Aid Society of London to the concern's office here and read as follows:

Meet Neckar from Genea immediately Find Annie Pennington, alias Farquar, prob-ably first class, maid to Mrs. Fisher, alias Fairbolm. Rescue. Urgent.

Reporters who went to Ellis Island yesterday got a glimpse of the couple. Miss Fisher is about 32 or 33 years old, and opinions differed as to whether she was good looking. She has light brown hair and blue eyes, but her eyes have a hard look about them and her features a coarseness that makes her look like the adventuress that she is accused of being The maid, Miss Pennington, is better looking than the mistress and is intelligent. While waiting to be called before the board she admitted to a reporter that Pennington was her right name. She was then asked if she was kidnapped. "Well," she replied, "if being kidnapped

is being forced to go where you don't want to go, I was kidnapped. She just made me come along with her, and I didn't know that I was on a ship for America or that I was entered on the ship's list under a false name until after it was too late."

That was all she would say. Miss Fisher told the board a somewhat ncoherent story, which made those who heard it wonder whether she is entirely sane. Immigration Commissioner Watchorn said he couldn't decide whether she was unbalanced or whether she was telling the truth. Others thought that she was perfectly sane and declared that her confession only bore out the reports of her which have reached here from abroad. Exactly what these were could not be learned, but a representative of the Swiss learned, but a representative of the Swiss Consul, who appeared in the case yesterday, made the remark that the woman was one of the most dangerous criminals of her sex that Europe is looking for and that if she was admitted to this country the Swiss Government would make it lively for its Consul here.

Miss Fisher at first declared that she was a respectable woman and that she had never defrauded any one in Luzerne. She hadn't any money, but she declared that she had sent \$4,000 ahead and that it was waiting for her at the Hotel Astor.

The board telephoned to the hotel and found that she had never been heard of there. The news was communicated to her.

there. The news was communicated to her, and a little while later she began to tell what she declared to be the truth. She did beat the Park Hotel in Luzerne out of seven or eight thousand francs, she said, by means of a bogus check. The check was drawn on a London firm, the Barkelay Company, where she had no account. She

She then told, in a rambling way, of a scheme which she had planned out, by which she would defraud an insurance company and pay her debts with the proceed She said she had insured her life in the Royal Exchange Insurance Society for about £7,000. She made her own estate the beneficiary, and then willed all her property to Lady Theresa Fitzwilliam, wife of Earl Fitzwilliam. The plan was, she said, that she should send word of her death to England and have the insurance paid to Lady Fitzwilliam, who would pay her debts with the money thus obtained. The present

the money thus obtained. The present Lady Fitzwilliam, according to the peerages, is not named Theresa. There was one of that name a few years ago however. She appears to be dead.

Miss Fisher said Lady Fitzwilliam was a person of importance, and she did not know anything about the fraudulent character of the scheme and was chosen for the purpose because "she is a very good friend of

Miss Fisher said that while on the Conti-Miss risher said that while on the continent she had telegraphed to her lawyer in London that she was dead, but evidently the insurance game didn't succeed. At any rate the board of inquiry got the idea that the swindle, if there was any attempt really made, was never successfully carried out.

The woman begged that she be allowed to make the board of the state of th to remain with her maid, without whom, she said, she could not get along. She also begged the authorities not to send her back

"My brother is Chadworth Fisher, rector of the Church of St. John the Divine there," she declared, "and he has been the cause of all my trouble. He has been hounding me constantly. If I must be sent away, let it be to Australia, where I can begin all over again.

When asked what she came to this country for, she declared that she was on her way to visit Robert McAdoo of Yonkers, whom, she said, she met abroad and who told he to visit him if she ever came to the United States. The examination of Miss Fisher was not completed yesterday and will be resumed this morning. There is little doubt that she will be sent back with her maid on the next North German steamer for Italy and that she will be arrested as soon as she lands there and taken to Switzer-

It was learned that the request for the rescue of the maid came from the girl's parents. She told the officials that she had been with Miss Fisher for several months and that she was sent from London to Luzerne by an employment agency which received Miss Fisher's order. So far as could be learned last night, nobody named Robert McAdoo lives in

#### TROY SPECIAL CARS DERAILED. Bowl Over a Switch Tower and Hurt Two Men-Passengers' Slight Damage.

The rear two cars of the Troy Special on the New York Central Railroad were derailed just north of Mott Haven Junction at 1:50 P. M. yesterday. Neither was overturned, but the last car knocked over a The towerman, Henry Knipe of Mount

Vernon, and a switch repairer, John Michael, were badly bruised. Both cars were filled with passengers, but the only injeries reported among them were a spranec thumb and a torn overcoat.

Traffic was impeded for an hour

Alpha Delta Phi Club Annual Reception. The annual reception of the Alpha Delta Phi Club to the members of the fraternity of venue.

Under a ruling of the majority of the Appellate Division this appeal does no stay the trial, but it is said to be possible that a stay may be obtained otherwise.

Pill Club to the members of the fraterity will be given at the clubhouse, 35 West Thirty-third street, on Saturday evening. December 9. All members of the fraterity are invited.



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## HEARST CASE HEARING MONDAY

LAWYERS SPECULATE ON OUT-COME IN COURT OF APPEALS.

Case Presents Some Peculiarities-Meanwhile Queens Has Finished Up the Count With the Help of the Courts, and McClellan Gains 41 Votes to Hearst's 6.

The Court of Appeals is to hear on Monday the argument on the appeal from the decison of the Appellate Division in the Hearst election case. Lawyers for both sides went before the court in Albany yesterday with a request for a speedy hearing, and the court decided to put the case at the top of the calendar for Monday morning. It also granted a request made by the Hearst lawyers that the original tally sheets be produced before the court as part of the evidence on which the Hearst side ask for recanvass of the ballots in the certain oxes, there being no time to print the case.

Judge Parker and Corporation Counsel Butts will probably argue the case for Mayor McClellan and the election officials and oppose such a recanvass. Austen G. Fox and Henry Yonge will appear for the Hearst side.

Both sides yesterday were speculating about the decision of the court. They all admitted that the situation is peculiar, because one of the reasons cited by the Appellate Division for setting aside its own opinion and directing a recanvass is the dictum" of Judge Parker in the Way case, while Judge Parker, before the Appellate Division, argued against a recanvass and said that although the court could reopen the boxes on mandamus it could direct only a count of the number of th

accepted ballots, not a resifting of them. The Way case was decided by the Court of Appeals, Judge Parker writing the opinion, in August, 1904. The Stiles case, in which the Appellate Division in Brooklyn handed down a decision also quoted as a precedent by this department, was heard in 1901. The cases were somewhat dissimilar. In the Stiles case the application was made practically on the same grounds as those the Hearst contention is based on, namely, discrepancies between returns and tally sheets. In the Way case the application to open ballot boxes was made on affidavits of fraud. The Judges who sat on the Way case were Parker, O'Brien, Gray, Werner, Haight, Vann and Bartlett. The decision written at that time by Judge Parker was against allowing a mandamus in the case as presented, but it said

If it is the duty of a town board of canassers to reconvene and recount the ballots their own motion upon their attention being of their own motion upon their attention being called to violations of the statute by some one or more mambers, then the court had power to grant the writ (mandamus), for the court has power to compel a recount whenever the power to compel a recount whenever the Board of Elections now sitting as the Elections now sitting now sitti

ides that the sum of the ballots cast for any filee, as shown by the tally sheet, must equal the number of ballots voted, as shown by the allot clerks' return of ballots, and that "if it does not there has been a mistake in the ant, and the ballots must be recounted for

In such case, as we see, it is by the statute made the duty of the board of canvassers to recount the ballots, which means that they shall follow the procedure required by the statute for a count of ballots in the first in-

In the event of a failure to make such a ount the court may by mandamus compel Any duty which a statute provides that a oard of canvassers shall in the future per-orm may be enforced by mandamus.

Relator's application is not based upon that Judge Haight concurred in the decision.

Judge Haight concurred in the decision, but not in the dictum. He wrote a memorandum saying that the law does not authorize a town board of canvassers to reconvene and recanvass the vote in an election district after the ballot box has been locked and sealed on election night. The board has no power to determine whether the box has been tampered with in the interval, and a recanvass without a determine whether the content of the content interval, and a recanvass without a determination of that question could not have been contemplated by the Legislature. Judges Gray, O'Brien and Werner con-

curred in the decision without writing memoranda. Judges Bartlett and Vann

dissented.

On the point whether Judge Parker's "dictum" meant that a general opening of the sealed ballot boxes and recanvass of the ballots after an election may follow the discovery of discrepancies between the tally sheets and the ballot clerks' returns, it has been observed that in the same decision Judge Parker dilated upon the danger and unwistom of leavings the ballot. danger and unwisdom of leaving the ballot boxes subject to a recanvass after election night at the instance of any or all candidates except in a judicial proceeding like a quo warranto after the declaration of the result of the canvass.

the result of the canvass.

Since this decision was written only one change has occurred in the makeup of the Court, that being the substitution of Judge Curien for Judge Parker.

Judge Culien was a member of the Appellate Division in Brooklyn when it decided in the Stiles case in 1901 that the ballot boxes in Mount Vernon should be opened because of discrepancies between tally

because of discrepancies between tally theets turns, but he did not sit in the



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An assortment of Men's Silk Scarfs at 65c. each. \$7.00 Per Dozen. .

LEATHER GOODS FOR MEN-AUTOMOBILE HAMPERS AND BASKETS, SUIT CASES AND TRAVELING BAGS WITH AND WITHOUT FITTINGS; HAT BOXES; CIGAR CASES; COLLAR AND CUFF BOXES, COLLAR BAGS AND RAZOR CASES; SILVER-MOUNTED FLASKS AND OTHER REQUISITES.

### BOYS' SUITS AND OVERCOATS.

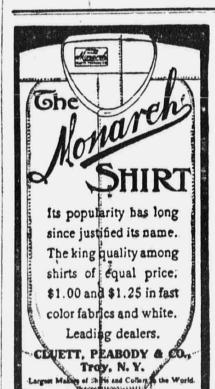
WINTER CLOTHING FOR BOYS AND CHILDREN IN STYLES FOR OUTING, SCHOOL AND PARTY WEAR; INCLUDING A NUMBER OF PLAIN AND FUR-TRIMMED OVERCOATS FOR CHILDREN, RUSSIAN AND SAILOR SUITS OF VELVET, WHICH HAVE BEEN DECIDEDLY REDUCED IN PRICE.

Norfolk Suits of blue and mixed cheviot, with extra knickerbockers, sizes 9 to 16 years, \$6.75

Reefers of blue pebble cheviot, wool lined, sizes 5 to 15 years - -- 6.50

Overcoats of Oxford gray material, sizes 10 to 16 years - - - 6.00

Mineteenth Street und Sixth Avenue, New York.



case. Justices Goodrich, Jenks, Bartlett Hirschberg and Woodward sat. The case was not carried to the Court of Appeals.

Pending the decision of the Court of Appeals the only move the Hearst Lawyers are to make is to ask the Supreme Court to compel the board of canvassers by man-

statute places upon a town board of can-vassers the duty of recounting.

Thus, Section 84 of the Election Law pro-41 votes and Hearst 6, a net McClellan gain of 35. This is after the Hearst attorneys had had all the void and protected ballots passed upon by a Judge and after they had got the returns corrected to agree with the tally sheets, or in other words, after they had completed the programme they are following in this borough save as to reopening ballot boxes. These are the

tors commanded to make recount

Bermel's plurality over Cassidy is 4,308.

The Board of Elections sent a demand some days ago to the various county clerks for the returns for city candidates. The only reply received thus far is from Queens, As the law says that the board can wait only five days, that time being up to-day, it is the intention to meet to-day and theoretically remain in session continuously until the returns are received, simply taking a recess instead of adjourning.

President Voorhis said that such a recanvass as the Hearst men seek would take months, even if it were possible to secure again the presence of all the inspec-

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